

REMARKS

In the Decision on Appeal, dated February 2, 2010, the Board of Patent Appeals and Interferences ("the Board") affirmed the Examiner's rejection of claims 1-3, 9-23, and 29-36 as anticipated under 35 U.S.C. § 102(e) by PETERSEN; affirmed the Examiner's rejection of claims 1, 10, 16, 17, 20, 21, and 35 as anticipated under 35 U.S.C. § 102(e) by DELPH; reversed the Examiner's rejection of claims 4-8, 24-28, and 37 as anticipated under 35 U.S.C. § 102(e) by PETERSEN; and entered a new ground of rejection of claims 20-37 as directed to non-statutory subject matter under 35 U.S.C. § 101.

By way of the present amendment, Applicants cancel claims 4, 11-19, 21, 24, 30-34, and 37 without prejudice or disclaimer, and amend claims 1, 5, 20, 22, 23, 25, 26-29, 35, and 36 to place the application in condition for immediate allowance. No new matter has been added by way of the present amendment. Claims 1-3, 5-9, 20, 22, 23, 25-29, 35, and 36 are pending.

**CLAIM CHANGES TO PLACE APPLICATION
IN CONDITION FOR ALLOWANCE**

In response to the Decision on Appeal, claim 1 has been amended to include the features of claim 4 (canceled herein), the rejection of which the Board has reversed (Decision on Appeal, p. 12). Therefore, claim 1 is in condition for immediate allowance.

Claims 2, 3, and 9 depend from claim 1. Therefore, claims 2, 3, and 9 are in condition for immediate allowance.

Claims 20 and 35 have been amended to include the features of claim 24 (canceled herein), the rejection of which the Board has reversed (Decision on Appeal, p. 12). In addition, Applicants have amended claims 20 and 35 to address the rejection under 35 U.S.C. § 101 provided by the Board. Therefore, claims 20 and 35 are in condition for immediate allowance.

Claims 22, 23, and 25-29 depend from claim 20 and claim 36 depends from claim 35. Therefore, claims 22, 23, 25-29, and 36 are in condition for immediate allowance.

For at least the foregoing reasons, Applicants respectfully request the reconsideration and withdrawal of the rejections of claims 1-3, 5-9, 20, 22, 23, 25-29, 35 and 36, and submit that claims 1-3, 5-9, 20, 22, 23, 25-29, 35 and 36 are in condition for immediate allowance.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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